REMARKS

Reconsideration and further examination is respectfully requested. Claims 1-49 are currently pending in this application.

Rejection under 35 U.S.C. §101

Claims 47-49 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter, specifically as not being a method or a device. Claims 47-49 have been cancelled by this amendment, and therefore applicants submit that this rejection is moot.

Rejections under 35 U.S.C. §102

Claims 1-6, 10-19, 23-27, 31-35 and 39-43 were rejected under 35 U.S.C. §102(e) as being anticipated by Bhagwat (U.S. 6,721,805).

Bhagwat:

Bhagwat describes at column 4, line 66 through column 5 lines 22:

"... The network includes a collection of mobile hosts 401 that run client applications 403 that interact via 405 with server applications 404 residing in application hosts 402. Appropriate communication stacks 406, 408 run on the communicating devices to support the application interaction. On the mobile host side 401, the TCP/IP protocol suite 407 is used running on top of the PPP protocol 417 which in turn runs on top of the serial port protocol 410. The latter protocol coordinates, via 413, the transmissions between the mobile host 401 and an externally attached module, herein referred to as wireless attachment (WAT) 411. *The WAT is attached to the mobile host via the mobile host's serial port 108 via an RS-232 cable 201.* On the side of the application host 402, TCP/IP 408 runs over an appropriate network interface card (NIC) 416, which attaches to an 802.x LAN 415, e.g., an Ethernet 802.3 LAN or a token-ring 802.5 LAN. The two TCP/IP modules 407 and 408 in a mobile host 401 and the application host 402, respectively, provide a logical (or virtual) path 409 over which the interactive application parts 403 and 404 communicate...

" The WAT 411 communicates with a wireless access point (WAPt) 412 via the shared medium access protocol (SMAC) 414. The SMAC protocol is a MAC protocol capable of enabling dynamically sharing of the communication resources among multiple mobile hosts..."

Thus, Bhagwat describes a system wherein multiple hosts physically couple themselves to a WAT. The WAT transmits to a wireless access point WAPt 412, which is shown in Figure 4 as being directly coupled to a host device through the LAN. Applicants note that there is no logic shown or described between the wireless access point WAPt and host device of Bhagwat.

Claims 1-14:

In contrast the independent claims of the present invention recite a significantly different structure than that described in Bhagwat. For example, Claim 1 recites "...A wireless communication system comprising an access point device in communication with a back end device, the access point for wirelessly communicating with a terminal equipment device and the back end device for communicating with a host device, wherein the access point device and the back end device work in conjunction to implement a plurality of protocol layers of a wireless communication protocol for enabling communication between the terminal equipment device and the host device..."

No such structure is shown or suggested in Bhagwat. Applicants note that the connection between the WAT and the mobile host of Bhagwat is performed using a physical RS-232 connection, rather than a wireless connection as claimed. For at least the reason that prior art does not disclose or suggest each limitation of the claim 1, the rejection of claim 1 is overcome and should be withdrawn. Dependent claims 2-14 serve to add further patentable limitations to claim 1 but are allowable for at least the reasons put forth with regard to claim 1.

Claims 15-22:

Applicants claim 15 recites "...An access point device for use in a wireless communication system, *the access point device comprising a wireless interface implementing a lower protocol layer of a wireless communication protocol for exchanging wireless communication messages with a terminal equipment device,* a back end interface for communicating with a back end device that implements upper protocol layers of the wireless communication protocol ... and forwarding logic operably coupled to receive upper protocol layer information over one of said wireless interface and said back end interface and forward the upper protocol layer information over the other of said wireless interface and said back end interface..." As mentioned above, Bhagwat neither describes nor suggests an access point device with a wireless interface to a terminal equipment device. For at least this reason, claim 15 is patentably distinct over Bhagwat, and the rejection should be withdrawn. Dependent claims 16-22 server to further limit claim 15 and are therefore allowable for at least the reasons put forth with regard to claim 15.

Claims 23-30:

Applicants claim 29 recites "...A computer program for operating *an access point device in a wireless communication system, the computer program comprising ... wireless interface logic implementing a lower protocol layer of a wireless communication protocol for exchanging wireless communication messages with a terminal equipment device* over a wireless interface ... back end interface logic for communicating with a back end device that implements upper protocol layers of the wireless communication protocol ... and ... forwarding logic programmed to receive upper protocol layer information using one of said wireless interface logic and said back end interface logic and forward the upper protocol layer information using the other of said

wireless interface logic and said back end interface logic. As mentioned above, Bhagwat neither describes nor suggests an access point device with a wireless interface to a terminal equipment device. For at least this reason, claim 23 is patentably distinct over Bhagwat, and the rejection should be withdrawn. Dependent claims 24-30 server to further limit claim 23 and are therefore allowable for at least the reasons put forth with regard to claim 23.

Claims 31-38, Claims 39-46:

Applicant's claim 31 recites "...A back end device for use in a wireless communication system/the back end device comprising ... upper protocol layer logic implementing upper protocol layers of a wireless communication protocol; and an access point interface for exchanging upper protocol layer information with an access point device that receives wireless communications from a terminal equipment device and implements a lower protocol layer of the wireless communication protocol...." Independent claim 39 includes similar limitations as independent claim 31. As mentioned above, Bhagwat neither describes nor suggests such a structure wherein an access point receives wireless communications from a terminal equipment device and forwards the communications to a back end device for upper layer protocol processing. For at least the reason that Bhagwat fails to disclose every limitation of claims 31 and 39, the claims are patentably distinct over Bhagwat and the rejection should be withdrawn. Dependent claims 32-38 and 40-46 server to further limit respective parent claims 31 and 39, and are patentable for at least the reasons put forth with regard to the parent claims.

Rejections under 35 U.S.C. §103

Claims 7-9, 20-23, 28-30, 36-038 and 44-46 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bhagwat in view of Olgaard (U.S. 6,542,740).

The Examiner states, at page 7 of the office action "... Bhagwat does not expressly disclose a Bluetooth wireless communication protocol and providing additional state based services. Olgaard discloses utilizing a Bluetooth wireless communications protocol and providing additional state-based services... At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Bhagwat with Olgaard to provide Bluetooth as a wireless communication protocol. The suggestion/motivation for doing so would have been that providing a standard protocol will allow for greater compatibility between customer equipment while maintaining the latest interfaces in keeping up with the market place to provide the latest state-based services..."

Assuming that such a motivation could be found, applications submit that the modification suggested by the Examiner would not suggest or disclose the present invention. As stated above, a physical, RS232 connection is made between a terminal device and the item indicated as the 'access point' by the Examiner. (the WAT). The wireless communication occurs in Bhagwat between the 'WAT' and the 'WAPt' of Bhagwat. The claims of the present invention describe a wireless communication between the terminal device and the access point, which is not disclosed by Bhagwat. Thus, even if Bhagwat was modified to use the Bluetooth communication system between the WAT and the WAPt, that is not what the invention is claiming. Accordingly, for at least the reason that the combination of references fails to teach or suggest the claimed invention, the rejection is overcome and should be withdrawn.

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Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Lindsay G. McGuinness, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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